

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

MAKITA U.S.A. INC. and
MAKITA CORPORATION,

Plaintiffs,

v.

BLACK & DECKER INC. and
BLACK & DECKER (U.S.) INC.,

Defendants.

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C.A. No. 07-522-GMS

JURY TRIAL DEMANDED

STIPULATION AND ORDER FOR EXTENSION OF TIME TO SERVE COMPLAINT

WHEREAS, the parties are in the process of executing an agreement to settle the above-captioned litigation;

WHEREAS, additional time is required to circulate the settlement agreement to the proper signatories;

NOW THEREFORE, IT IS HEREBY STIPULATED by the parties, subject to the approval of the Court, that the time for Plaintiffs to serve the Complaint in the above-captioned action upon Defendants shall be extended beyond the 120 day period provided by FRCP 4(m) to March 10, 2008.

IT IS FURTHER STIPULATED AND AGREED by the parties, subject to the approval of the Court, that the extension shall in no way prejudice Defendants' right to raise any defenses or defects in their answer, motion or other response to the Complaint, should it be served at a later date.

POTTER ANDERSON & CORROON LLP

MORRIS, NICHOLS, ARSHT & TUNNELL
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*Attorneys for Defendants Black & Decker Inc.
and Black & Decker (U.S.) Inc.*

SO ORDERED, this _____ day of _____, 2008.

Chief Judge

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